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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,331	05/01/2001	Masato Hori	1341.1093	2272

21171 7590 04/06/2004  
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EXAMINER

VO, TIM T

ART UNIT PAPER NUMBER

2112

DATE MAILED: 04/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/845,331

Applicant(s)

HORI ET AL.

Examiner

Tim T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 11-13, 16 and 19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 11, 13, 16 and 19 is/are rejected.
- 7) ☒ Claim(s) 2, 3 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **Part III DETAILED ACTION**

#### ***Notice to Applicant(s)***

This application has been examined. Claims 1-4, 11-13, 16 and 18 are pending.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 11, 13, 16 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Holmdahl patent number 5,675,813.

As for claims 1, 11, 13, 16 and 19, Holmdahl teaches an information processing equipment that carries out a communication path establishment processing at the time when a power source is turned on (see figure 2, computer 4, bus 24, 22 and column 11 lines 38-50, wherein when the computer 4 is powered on, the computer 4 establish communication path 33 with the master data hub 22 and the bus powered hub 33, the information processing comprising:

a connector that is connected with a communication line based on the needs (see figures 2, 3A, connector 30, communication line 33);

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a transmission/reception mechanism that transmit/receives data through the communication line connected to the connector (see column 6 lines 24-33);

a connection status deciding unit that decides whether the communication line has been connected to the connector or not (see figure 3A,  $R_T$  and column 6 lines 34-38, wherein the resistor  $R_T$  permits the master data hub 22 to determine whether the bus power hub is present or not); and

a control unit that controls the transmission/reception mechanism to carry out an initialization processing for establishing a communication path connected to the communication line (see figure 3A, control switch 70, circuitry 60 and column 12 lines 43-49, wherein the circuitry 60 comprises  $R_T$  indicating the master data hub 22 the presence or absence of peripheral devices. Further, control switch 70 permits initialization when a peripheral device is present);

wherein the control unit controls not to carry out the initialization processing when it has been confirmed that the communication line has not been connected to the connector as a result of the decision made by the connection status deciding unit (see column 12 lines 40-44, wherein the circuitry 60 determines if there is no peripheral device is coupled to it, the initialization procedure will not be carried out).

As for claim 4, Holmdahl teaches the connection status deciding unit comprises a detecting switch that mechanically detects a connection of the communication line to the connector, and a deciding circuit that decides a connection status of the communication line based on a result of the detection by the detecting switch (see figure 3A, switch 70 and column 7 line 45 to column 8 line 6).

### ***Allowable Subject Matter***

Claims 2-3 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim T. Vo whose telephone number is 703-308-5862. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tim T. Vo  
Primary Examiner  
Art Unit 2112